



Reopening of the Competition for the 2004 National Brownfields Assessment, Revolving Loan Fund, and Cleanup Grants

The U.S. Environmental Protection Agency (EPA) is reopening the FY2004 brownfields grant competition to allow entities who are affected by a recent change in federal law to submit (or resubmit) proposals for brownfields funding. To qualify for participation in the reopened competition, applicants must have specific brownfields sites identified, and these sites must now be eligible for EPA funding in FY2004 due to the below-referenced provision of the Consolidated Appropriations Act, 2004. **The deadline to submit (or resubmit) proposals is March 9, 2004.**

On January 23, 2004, President Bush signed the Consolidated Appropriations Act, 2004, Public Law 108-199, which temporarily expands the number of brownfield sites that are eligible for funding under the EPA brownfields assessment, revolving loan fund, and cleanup grants awarded under section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. EPA's Fiscal Year 2004 appropriations may be used by recipients of brownfields grants and loans for eligible and allowable costs at brownfield sites as long as the recipient of a brownfield grant or loan satisfies all of the elements required to qualify as a bona fide prospective purchaser under CERCLA section 101(40) notwithstanding the fact that the property was acquired prior to the enactment of the Small Business Liability Relief and Brownfields Revitalization Act of 2001, P.L. 107-118, on January 11, 2002.

Applicants who submitted proposals by the December 4, 2003 deadline for brownfields assessment, revolving loan fund, and cleanup grants and who otherwise satisfied all of the requirements to be eligible to receive brownfields grants or loans, as well as satisfied all of the elements required to qualify as a bona fide prospective purchaser and were determined by EPA to be prohibited from using brownfield funds at the proposed site(s) because the applicant acquired the brownfield site prior to the January 11, 2002 enactment date, may choose to resubmit their proposal for consideration.

An original proposal and/or a request for reconsideration of a proposal that was submitted by the December 4, 2003 deadline must be received by 6:00 p.m. EST on or before March 9, 2004, by Environmental Management Support, Inc., Attention: Don West, 8601 Georgia Avenue, Suite 500, Silver Spring, MD 20910, phone 301-589-5318. Applicants must also provide a copy to the EPA Regional Brownfields Coordinator at the addresses shown in Appendix 1 of the October 2003 Proposal Guidelines.

Applicants should refer to the Proposal Guidelines for Brownfields Assessment, Revolving Loan Fund, and Cleanup Grants, published in the Federal Register, at 68FR 59611, on October 16, 2003, and subsequent corrections published in the Federal Register, at FR68 64623, on November 14, 2003. In addition, on page 5, the first bullet under Additional Uses/Restrictions of Grant Funds was revised to implement the language in the Consolidated Appropriations Act, 2004. The guidelines can be found at www.epa.gov/brownfields/. For more information, please contact your Regional Brownfields Coordinator.